

closing directed fishing for groundfish other than sablefish or demersal shelf rockfish by vessels using hook-and-line gear in the GOA.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

#### Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately in order to prevent exceeding the 2000 Pacific halibut bycatch mortality allowance specified for the groundfish fisheries other than sablefish or demersal shelf rockfish by vessels using hook-and-line gear in the GOA. A delay in the effective date is impracticable and contrary to the public interest. The 2000 Pacific halibut bycatch mortality allowance specified for hook-and-line gear targeting groundfish other than sablefish or demersal shelf rockfish in the GOA has been caught. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.21 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: September 1, 2000.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 000211040-0040-01; I.D. 090100A]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Eastern Aleutian District and Bering Sea Subarea of the Bering Sea and Aleutian Islands

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Closure.

**SUMMARY:** NMFS is prohibiting directed fishing for Atka mackerel with gears other than jig in the Eastern Aleutian District and the Bering Sea subarea of

the Bering Sea and Aleutian Islands management area (BSAI). This action is necessary to prevent exceeding the 2000 total allowable catch (TAC) of Atka mackerel allocated to these areas.

**DATES:** Effective 1200 hrs, Alaska local time, September 5, 2000, until 2400 hrs, A.l.t., December 31, 2000.

#### FOR FURTHER INFORMATION CONTACT:

Mary Furuness, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI exclusive economic zone according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP at subpart H of 50 CFR part 600 and CFR part 679.

The amount of the 2000 TAC of Atka mackerel for gears other than jig in the Eastern Aleutian District and the Bering Sea subarea of the BSAI was established as 15,018 metric tons (mt) by the Final 2000 Harvest Specifications of Groundfish for the BSAI (65 FR 8282, February 18, 2000). See § 679.20(c)(3)(iii).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the TAC for non-jig gear Atka mackerel in the Eastern Aleutian District and the Bering Sea subarea will be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 14,518 mt, and is setting aside the remaining 500 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed fishing allowance soon will be reached. Consequently, NMFS is prohibiting directed fishing for Atka mackerel with gears other than jig in the Eastern Aleutian District and the Bering Sea subarea of the BSAI.

Maximum retainable bycatch amounts may be found in the regulations at § 679.20(e) and (f).

#### Classification

This action responds to the best available information recently obtained from the fishery. It must be implemented immediately to prevent overharvesting the 2000 TAC of Atka mackerel with gears other than jig in the Eastern Aleutian District and the Bering Sea subarea of the BSAI. A delay in the effective date is impracticable and contrary to the public interest. Further

delay would only result in overharvest. NMFS finds for good cause that the implementation of this action should not be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: September 1, 2000.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 679

[Docket No. 000211040-0040-01; I.D. 082900D]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Pacific cod by Catcher Vessels using Trawl Gear in the Bering Sea and Aleutian Islands

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Rescission of a closure.

**SUMMARY:** NMFS is opening directed fishing for Pacific cod by catcher vessels using trawl gear in portions of the Bering Sea and Aleutian Islands management area (BSAI) in which such fishing is authorized. This action is necessary to fully utilize the portion of the 2000 total allowable catch (TAC) of Pacific cod allocated to these vessels using trawl gear in this area.

**DATES:** Effective 1200 hours, Alaska local time (A.l.t.), September 1, 2000.

**FOR FURTHER INFORMATION CONTACT:** Nick Hindman, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** NMFS manages the groundfish fishery in the BSAI according to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The portion of the TAC of Pacific cod allocated to catcher vessels using trawl

gear in the BSAI was established by the Final 2000 Harvest Specifications of Groundfish for the BSAI (65 FR 8282, February 18, 2000) as 41,953 metric tons (mt). See § 679.20(c)(3)(iii) and § 679.20(a)(7)(i)(B).

The fishery for Pacific cod by catcher vessels using trawl gear in the BSAI was closed to directed fishing under § 679.20(d)(1)(iii) on April 24, 2000, (65 FR 24655, April 27, 2000), in order to reserve amounts anticipated to be needed for incidental catch in other fisheries. In that action, the Regional Administrator, Alaska Region, NMFS (Regional Administrator) also established a directed fishing allowance of 37,953 mt, and set aside the remaining 4,000 mt as bycatch to support other anticipated groundfish fisheries.

NMFS has determined that as of August 12, 2000, 1,325 mt remain in the portion of the TAC of Pacific cod allocated to catcher vessels using trawl gear in the BSAI and of that amount, 200 mt will be necessary as bycatch to

support other anticipated groundfish fisheries through the end of 2000. Therefore, the Regional Administrator is establishing a revised directed fishing allowance of 41,753, and is setting aside the remaining 200 mt as bycatch to support other anticipated groundfish fisheries. NMFS has determined that 1,125 mt remain in the directed fishing allowance. Therefore, pursuant to § 679.25(a)(1)(i), NMFS is rescinding the previous closure and is opening directed fishing for Pacific cod by catcher vessels using trawl gear in the portion of the BSAI in which such directed fishing is authorized by law. All fishery closures specified in regulations implementing the FMP remain in full force. In addition, all groundfish trawl fishing within Steller sea lion critical habitat in the exclusive economic zone west of 144° W. long. remains prohibited (65 FR 49766, August 15, 2000).

#### **Classification**

This action responds to the best available information recently obtained

from the fishery. It must be implemented immediately in order to allow full utilization of the Pacific cod TAC. Providing prior notice and opportunity for public comment for this action is impracticable and contrary to the public interest. Further delay would only disrupt the FMP objective of providing the Pacific cod TAC for harvest. NMFS finds for good cause that the implementation of this action cannot be delayed for 30 days. Accordingly, under 5 U.S.C. 553(d), a delay in the effective date is hereby waived.

This action is authorized by § 679.25 and is exempt from review under Executive Order 12866.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: September 1, 2000.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

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